

**REMARKS/ARGUMENTS**

In parent Application Serial No. 09/728,443, the Applicant canceled the product claims in the application to advance the prosecution of the method claims which were allowed following the filing of an Appeal Brief. This application sets forth the product claims previously canceled in this matter. Additional product claims have also been added in connection with a Preliminary Amendment filed with this application, with these dependent claims being different in scope than those previously considered by the Examiner. A substitute Abstract is also presented to appropriately address the claimed invention. Finally, the specification has been amended to provide an appropriate title and to reference the pending parent application. Regardless, no new matter has been added by any of these changes and, following entry of this Preliminary Amendment, examination of the application is respectfully requested.

Respectfully submitted,

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ABSTRACT OF THE DISCLOSURE

Nutritionally improved cultured dairy products, such as milk beverages and yogurt products, include a fine powdered calcium phosphate salt of reduced particle size having a mean diameter  $\leq 6\mu\text{m}$  in amounts sufficient to provide a substantially increased total calcium content.